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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/786,185

03/01/2001

Harald Schiller

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09/01/2005

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EXAMINER

VENT, JAMIE J

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 09/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/786,185

Applicant(s)

SCHILLER ET AL.

Examiner

Jamie Vent

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-11 is/are allowed.
- 6) ☒ Claim(s) 12-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Prosecution Application

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on July 22, 2005 has been entered.

Information Disclosure Statement

2. The submission of the information disclosure statement (IDS) submitted on July 22, 2005 and March 1, 2001 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Allowable Subject Matter

3. Claims 9-11 are allowed.

4. The following is a statement of reasons for the indication of allowable subject matter:

In regard to Claims 9, 12, and 13 the prior art of record, Ando et al (US 6556772), discloses method of addressing pieces of the bit stream to be recorded on a storage medium. Furthermore, information assigned to the pieces of the bit stream allow for the user to determine information about what is stored on the recording medium as further discussed in seen in Figures 32-33 and discussed in Column 41

Lines 19-50; however, the prior art of record fails to teach, suggest or partly disclose an apparatus in combination of the above apparatus comprising an address table entry for said pieces a delta time duration value is assigned in the said address table, wherein the delta time duration is the difference between the arrival time of the data packet following immediately the last data packet.

Additionally, Tozaki et al (EP 0 797 204) discloses a recording method and apparatus wherein access information is divided into data groups that are used to manage and access the information for the recording medium. Furthermore, the management information is available in cell information table, Figure 6, wherein it is determined whether or not two addresses are indicated to be apart from each other by one time unit by the time unit address information; however, the prior art of record fails to teach, suggest, or partly disclose an apparatus in combination with the above apparatus wherein an address table entry for said pieces of a delta time duration, which is recited in applicant's Claims 8, 12, and 13.

Furthermore, Hirabayashi et al (EP 0 729 153) discloses a recording method and apparatus wherein data tables are used to access information regarding the data stream for trick play purposes. It is shown in Figures 1-5 tables that provide information pertaining to sector addresses, time codes, and content wherein all of the sector addresses are recorded and thereby lacking an address table that records the delta time duration value regarding the recorded information. Therefore, it is seen the prior art of record fails to teach, suggest, or partly disclose an apparatus in combination comprising:

" Method for addressing pieces of a bit stream to be recorded or being recorded on a storage medium, wherein an address table is used to assign time information to said pieces and wherein each of said pieces include a constant number of bits wherein: said pieces contain data packets to each address table entry for said pieces a delta time duration value is assigned in said address table, wherein such delta time duration value is the difference between the arrival time of the first data packet of a piece and the arrival time of the data packet following immediately the last data packet."

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 12-15 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

In regard to Claims 12 and 13 states a storage medium/device with various information that can be manipulated "in order to computer a target piece of address value on the storage medium". Thereby, the non-functional descriptive material (ie storage medium) fails to disclose a useful, concrete, and tangible result.

Contact Information

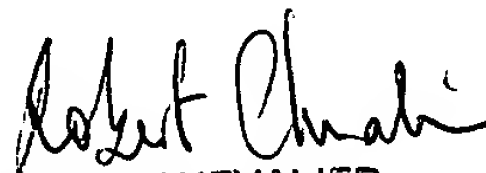
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie Vent whose telephone number is 571-272-7384.

The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jamie Vent
08/15/2005


ROBERT CHEVALIER
PRIMARY EXAMINER